

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SCOTT ANDREW THOMAS,

8:07CV401

Plaintiff,

v.

**MEMORANDUM
AND ORDER**

DOUGLAS COUNTY
DEPARTMENT OF
CORRECTIONS MEDICAL
DEPARTMENT,

Defendant.

This matter is before the court on Plaintiff's Motion to Appoint Counsel. ([Filing No. 13](#).) In his Motion, Plaintiff renews his prior request for appointed counsel. However, as the court has previously informed Plaintiff, the court cannot routinely appoint counsel in civil cases. In [Davis v. Scott, 94 F.3d 444, 447 \(8th Cir. 1996\)](#), the Eighth Circuit Court of Appeals explained that "[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel. . . . The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel" *Id.* (quotation and citation omitted). No such benefit is apparent here and circumstances have not changed since the court last denied Plaintiff's request for counsel.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Appoint counsel ([filing no. 13](#)) is denied.

July 9, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge